

IN SENATE OF THE UNITED STATES.

MARCH 10, 1848.

Submitted, and ordered to be printed.

Mr. ATCHISON made the following

REPORT:

[To accompany joint resolution S. No. 13.]

The Committee on Indian Affairs, to whom were referred the petition and papers of H. B. Gaither, report:

That the petitioner was employed as clerk to William Armstrong whilst he, the said Armstrong, was engaged in making payments to the Cherokees, in the winter of 1841, and that the petitioner was to receive four dollars per day whilst he was so engaged as clerk. On the 20th of January of said year, the payments were suspended in consequence of the cold weather, and to be resumed so soon as the weather would admit; in the mean time the books were left in the custody of the petitioner at Fort Smith. The payments were not resumed until the 20th of May, 1841, in consequence of the absence of Armstrong, during which time the petitioner had charge of the books, a period of four months. The petitioner was paid by Armstrong four dollars per day whilst he was engaged in the disbursements, but the petitioner received no pay for the time (four months) the payments were suspended, until they were resumed.

G. Parker Ridgeway swears that he heard Armstrong "sacredly promise and say, that the said Gaither's pay should go on regularly until his return."

Armstrong does not say that he made any such promise to the petitioner in either of his letters before the committee, and presented with the petition, but Armstrong does say that Gaither, the petitioner, should have some compensation; and in this opinion the committee concur, and recommend that the sum of two dollars per day be allowed the petitioner for his services in taking care of the books from the 20th of January, 1841, to the 20th of May, same year. This, they think, is an ample compensation in the absence of all proof of what the petitioner's services were really worth. The committee are far from being satisfied that there was any express promise on the part of Mr. Armstrong to pay the petitioner four dollars per day.

IN SENATE OF THE UNITED STATES

March 10, 1848

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Mr. Armstrong made the following

REPORT:

[To accompany joint resolution S. No. 13.]

The Committee on Indian Affairs, to whom were referred the petition and papers of H. H. Galster, report:

That the petitioner was employed as clerk to William Armstrong whilst he, the said Armstrong, was engaged in making payments to the Cherokee in the winter of 1841, and that the petitioner was to receive four dollars per day whilst he was engaged as clerk. On the 30th of January of said year, the payments were suspended in consequence of the cold weather, and to be resumed so soon as the weather would admit; in the mean time the books were left in the custody of the petitioner as per Smith. The payments were not resumed until the 30th of May, 1841, in consequence of the absence of Armstrong, during which time the petitioner had charge of the books, a period of four months. The petitioner was paid by Armstrong four dollars per day whilst he was engaged in the disbursements, but the petitioner received no pay for the time (four months) the payments were suspended, until they were resumed.

G. Parker Ridgway swears that he heard Armstrong, verbally promise and say that the said Galster's pay should go on regularly until his return.

Armstrong does not say that he made any such promise to the petitioner in either of his letters before the committee, and presented with the petition, but Armstrong does say that Galster, the petitioner, should have some compensation; and in this opinion the committee concur, and recommend that the sum of two dollars per day be allowed the petitioner for his services in taking care of the books from the 30th of January, 1841, to the 30th of May, same year. That they think is an ample compensation in the absence of all proof of what the petitioner's services were really worth. The committee are far from being satisfied that there was any express promise on the part of Mr. Armstrong to pay the petitioner four dollars per day.